

1907-031 Chancery Causes: Powells Valley Bank] vs. E. P. Bales &
Lee Co.

Oaks

CA - Debt
T - Property

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County:

Humbly complaining, your orator, the Powell's Valley Bank a corporation, ^{would respectfully represent & show unto your honor that it} obtained a judgement in the Circuit Court for Lee County at the Sept. term 1903 against E. P. Bales for the sum of \$220.00 with interest thereon from the 25th day of May, 1903 and \$7.87 cost, as will appear by a copy of said judgement from the judgement lien book herewith filed as exhibit "A" as part of this bill.

Your orator further alleges that the said judgement, interest, and cost and every part thereof is still owing due and unpaid, and that no part thereof has been paid your orator or any one for him.

Your orator would further represent and show unto your honor that the said E. P. Bales was the owner of a tract of land containing about 35 acres situated in Lee County, Va., ^{at a place} and ~~what is~~ called Flat Top, and joining the lands of one Cawood and others, and being the same tract of land, as your orator is informed that was conveyed, to the said E. P. Bales by the said H. L. Woodward, commissioner, but your orator is unable to file said deed from said Woodward as exhibit from this bill because the same has never been put upon record.

Your orator is further informed that about the time your orator brought suit against the said E. P. Bales, ^{to obtain some judgment} he transferred or conveyed or in some way contracted said tract of land for sale to one James Oaks, but your orator does not know whether there was any deed made to the said Oaks for the said tract of land, but ~~it~~ is informed that said Oaks is in possession of it claiming the same under some kind of contract, but no deed or contract having been placed upon record, your orator does not know what kind of contract it is and is unable to file and exhibit copy with this bill.

Your orator alleges however that it obtained and had its judgement properly docketed in the judgement lien book as per exhibit "A", above referred to, and that whatever contract, deed, or other writing was made by the said E. P. Bales and James Oaks, it is advised ^{is void} ~~his~~ as to the judgement of your said orator.

Your orator further alleges that the said land will not rent for

~~the~~^a sum sufficient to pay ~~for~~ the judgement of your orator in five years. And your orator alleges that this is the only judgement or lien existing against said tract of land.

The premises considered, your orator is advised that it has the right to have said judgement enforce against said tract of land, to have said contract, deed or other writing, if any there was made set aside and declared void as to your orator's said judgement and to have the said tract of land sold to satisfy the payment of said judgement and costs at law and the costs of this suit.

The prayer therefore of your orator is that the said James Oaks and E. P. Bales be made parties defendant to this bill of complaint and that they be required to answer the same but not under oath, answer under oath being expressly waived, that upon a hearing the said E. P. Bales be required to file the said deed of H. L. Woodward, commissioner, to him, and that the said James Oaks be required to file with his answer any contract, deed or other writing which he ~~gave~~^{has} and from the said E. P. Bales respecting said tract of land, that said deed, contract, or writing be set aside and held for nought, that your orators judgement be decreed a lien upon said tract of land from the date the rendition of said judgement and said tract of land ^{be} ordered to be sold to pay said debt, the cost of said action, and this suit and the expenses of the said sale; and may all other, further, and general relief be granted your orator that the nature of ~~its~~^{the} cause and good conscience requires. And it will ever pray etc. etc.

Pennington Bros p.q.

Name of Attorney.	In what court or before what Justice judgment was obtained.	Names of Parties.	Residence.	Amount of Judgment.	From what date interest begins.	Costs.	Credits to which Judgment is subjected, if any, and the date.	When Docketed.
<i>Proc. Bros. Lee Circuit Court.</i>	<i>Sept. 25, 1906.</i>	<i>Powells Valley Bank, Incorporated, vs. E. P. Bales.</i>		<i>\$22000</i>	<i>May 25, 1906, on \$20000, part thereof,</i>	<i>\$787</i>		<i>Sept. 29, 1906.</i>

VIRGINIA==In Lee County Court Clerk's Office:

I, H. C. T. EWING, Clerk of said Court, do certify that the foregoing is a true copy of a Judgment in favor of *Powells Valley Bank, Incorporated,* against *E. P. Bales*, as appears of record on Judgment Lien Docket No. *4* page *105* of Lee County Court, and that the same is properly indexed in the name of *E. P. Bales,* said defendant.

Given under my hand this the *25th* day of *January*, 190*7*. Teste:

H. C. T. Ewing, Clerk.

Powells Valley Bank,
vs. } copy of Jtsgt-
E. P. Balis.

clerk \$25-

Penn's Valley Camp

45 { Bill

E. P. Bassett

POWELLS VALLEY BANK -----Plaintiff.

VS.

E. P. BALES-----Defendant.

This cause came on this day to be heard upon the papers
formerly read therein and upon motion of the counsel this cause is
stricken from the docket.

Pauis Valley Baulo

vs. $\frac{1}{2}$ Decem
 $\frac{1}{2}$ final

E.P. 13 also

Entered in C.O.B.,
No. 8, page 327

Enter this

Sept 20, 1907

H. A. W. Silver

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

E. P. Balis and James Oaks

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the *10th* Monday in *February*, 190*7*, to answer a bill in chancery exhibited against *them* by *Powells Valley Bank, an incorporation*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *23rd* day of *January*, 190*7*, and 1*31st* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

_____, Clerk.

Powells Valley Bank

VS

SUBPOENA
IN
CHANCERY.

E. P. Bales, et al.,

Ans. Bros. p. q

To 1st Feby. Rules.

Leicester Court.
1907-

Executed by delivering an
attested copy of the within
sup. to, E. P. Bales & James
Bales, this Jan. 28-1907-
D. M. Ball
D. M. Ball

Pamunee Valley Bank

vs. $\frac{1}{2}$ Dr Chancery

E. P. Bales et al

1907 1st February Rule

Bill filed, Sp. A.

Executed and D. N.

as to E. P. Bales &

dismissed as to

James Oaks

" 2nd Feby Rule

D. N. confirmed at

10 E. P. Bales & can

set for hearing as to

him.

Costs:

Clerk, \$5.52 + \$4.87

Shff. 1.00

Atty. $\frac{15.00}{\$21.52}$